

Remarks

Entry of the foregoing amendments and reconsideration of this application are respectfully requested in view of the following remarks.

Claims 13-20 Are Allowable Over the Cited Art

Claims 1-8, 10 and 12 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,735,569 to Wizig (Wizig) and claims 9, 11 and 13-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Wizig in view of U.S. Patent No. 6,115,690 to Wong (Wong).

The present invention discloses a method and system for selling insurance on the World Wide Web to consumers through an affiliate or referring web site. A list of available insurance products from a larger number of products is provided to the user based on information provided by the user, information stored about the products as well as information about the affiliate or referring web site. When the user purchases an insurance product, the affiliate may be given a fee which can be a commission or referral fee when a quote request is processed, a new customer is registered or a traditional sale is made.

Due to the highly regulatory nature of insurance products, a given insurance product may not be available to all purchasers and an affiliate may not be legally allowed to sell or earn a commission on certain products. With travel insurance, as well as other insurance types, the user's nationality, residency and destination may also limit what products are available. When a user visits an affiliate web-site, a cookie is stored on the user's machine to identify the affiliate

so that a referral fee or commission can be accurately computed and properly attributed if legally allowable. The cookie may have a time limit.

Wizig discloses a method and system for allowing a user to select a healthcare service package over the Internet based on personal information including the user's preference with respect to health care service providers and the party responsible for paying for all or part of the user's healthcare cost. Based on the user's choices a central server determines a healthcare service package. A cookie may be used to identify a user and allow them to re-enter the system without requiring an additional registration or login process.

Wizig applies to the selection of a healthcare service package and not an insurance product. It also fails to disclose selecting a set of products based on information from an affiliate or referring web page. Accordingly, Wizig is not concerned with determining which products can be legally purchased by the user or legally offered by the affiliate. Neither the specification nor the drawings disclose how the invention of Wizig might be used to limit the products available to the user based on information provided by the user and a separate affiliate or referring web page. This is a vital feature when working in the highly regulated insurance industry. As there is no affiliate or referring page, Wizig does not disclose providing a fee or commission to an affiliate when a quote request is processed, a new customer is registered or a traditional sale is made.

Wong discloses a software system for business-to-business e-commerce utilizing a single integrated database management system (DMBS).

Wong does not disclose selecting a set of products based on information from a user and an affiliate or referring web page. Though Wong indicates the invention may be used to sell “virtually anything in a transactional context (goods services, insurance, ...” (column 4, line 20) it fails to address insurance specific issues regarding the ability of an affiliate to sell or receive compensation for a given product or a user to purchase a given product. Wong claims a method of automatically generating a commission on a sale for sales representatives, but does not disclose generating a commission or referral fee when a quote request is processed, a new customer is registered or a traditional sale is made. Due to insurance regulations an affiliate may not be able to receive a commission on sale, but may be able to receive a referral fee on a new customer registration. As a business-to-business patent, Wong does not have the customer registration process of a consumer web site nor does it disclose generating a referral fee upon a registration.

Furthermore, Wong distinguishes itself as covering business-to-business web commerce with “only a limited number of controlled entry points to the system,” (column 6, lines 38–39) and “[i]n contrast to consumer-oriented Web commerce.” (column 14, line 16). The application refers to a consumer oriented web transaction. The invention of the application is aimed at selling products to end users through an affiliate or referring web site.

Independent claim 13 claims a method for on-line distribution of insurance services information with “one or more referring web pages” that are “associated with at least one affiliate” which receives “information identifying an affiliate” and a “user query” and responds. As discussed above, neither Wizig nor Wong discloses receiving information identifying an

affiliate associated with a referring web page or recording information about a query “including association of said query with said associated affiliate.” Claims 1-12 do not explicitly claim as an element a “referring web page ... associated with at least one affiliate,” receiving information “identifying an affiliate,” nor recording said information along with a user query. Therefore, the examiner has not indicated how the prior cited art makes claim 13 unpatentable over Wizig in view of Wong. Accordingly, the Applicant respectfully submits that independent claim 13 is allowable over the cited art. The Applicant also respectfully submits that claims 14-19 and new claims 21-26 are allowable over the cited art at least because of their dependency from independent claim 13.

Applicant also respectfully submits that dependent claim 15 is allowable over the cited prior art for the following additional reasons. Examiner states that “Wizig further discloses a method ... [that] generates a cookie (column 7, line 58 to column 8, line 7). Wizig defines the use of the term “cookies” as “a term referring to the storage of the log-in identifier at the registrant’s computer for being automatically to provided to the server 200 upon access to the Web site.” (column 7, line 67 to column 8, line 3). Claim 15 uses a cookie for “identifying an affiliate associated with said referring web page ...” The cookie stores information about an affiliate and referring web site, not the user log-in as specified in Wizig. The user log-in allows a user to access the system, whereas the affiliate information is used to identify products offered by the specified affiliate.

Applicant also respectfully submits that dependent claim 16 is allowable over the cited prior art for the following additional reasons. Claim 16 limits the step of responding to a user

query and includes the steps of “identifying insurance services said user can purchase” and “identifying insurance services said affiliate with said referring web page is permitted to offer.” As discussed previously, neither Wizig nor Wong disclose identifying any relationship with an affiliate associated with a referring page nor do they disclose identifying permitted products based on information from an affiliate or referring web page in addition to information about the user. Wizig applies to healthcare services and not insurance services and although Wong mentions insurance products, it does not discuss the highly regulated nature of the insurance industry nor propose a solution for working with licensed and un-licensed affiliates within the insurance industry and what products they may be “permitted to offer.” The Applicant also respectfully submits that claims 17-19 and new claims 23-25 are allowable over the cited art at least because of their dependency from dependent claim 16.

Applicant also respectfully submits that dependent claim 18 is allowable over the cited prior art for the following additional reasons. Neither Wizig nor Wong disclose the inclusion of a “call center for telephonic communications.”

Applicant also respectfully submits that amended dependent claim 19 is allowable over the cited prior art for the following additional reasons. Claim 19 has been amended to better claim the invention of the specification. Although Wizig does disclose registering a user, it does not disclose registering information identifying an affiliate associated with a referring web page in the registration process. The Applicant also respectfully submits that new claim 25 is allowable over the cited art at least because of its dependency from dependent claim 19.

Independent claim 20 includes a database “identifying restrictions on insurance service availability based on an affiliate associated with a referring web page.” As discussed previously, neither Wizig nor Wong disclose receiving a query from a referring web page associated with an affiliate nor do they disclose identifying restrictions on insurance services based on information from an affiliate or referring web page in addition to information about the user. In addition, claim 20 has been amended to better reflect the invention, replacing the word “commission” with “fee.” Wong discloses calculating a commission for a sales representative but does not disclose generating a fee for an affiliate nor other types of non-commission payments. Due to the regulatory limitation on payments in the insurance industry, not addressed by Wong, this is an important distinction. Accordingly, the Applicant respectfully submits that independent claim 20 is allowable over the cited art.

New Claims 21-29 Are Patentable

The Applicant respectfully submits that new claims 21-26 are allowable over the cited art at least because of their dependency from independent claim 13; that new claims 23-24 are allowable over the cited art at least because of their dependency from dependent claim 16; that new claim 25 is allowable over the cited art at least because of its dependency from dependent claim 19.

Applicant also respectfully submits that dependent claim 22 is allowable over the cited prior art for the following additional reasons. With respect cancelled claim 11, the examiner indicates that Wong discloses determining whether a user has made a previous query within a

predetermined time citing Wong column 14, lines 29 – 41. Wong discloses that a purchaser may have a purchase limit “for a predetermined time period (e.g., weekly, monthly, quarterly)”, but does not disclose determining whether a user has made a query within some period of time since their last query. Furthermore, Wong does not disclose determining an affiliate associated with a previous query if the “user has made a previous query within a predetermined time.”

Applicant also respectfully submits that dependent claims 23 and 24 are allowable over the cited prior art for the following additional reasons. Neither Wizig nor Wong, disclose “identifying which products the user can legally purchase” or “identifying which products the affiliate can legally offer.” The insurance industry is highly regulated on a state, national and international basis and though Wong mentioned insurance transaction, neither Wizig nor Wong discuss the problems on working with insurance products and services, the need for limiting products based on what can legally be offered or purchased, or a method to do so.

Applicant also respectfully submits that dependent claim 25 is allowable over the cited prior art for the following additional reasons. Examiner, in response to cancelled claim 9, indicates that Wong claims 24 and 25 claim generating a referral fee. In Wong, a commission is generated for either a sales representative (claim 24) or each person with a role in the sale transaction (claim 25). Wong does not disclose generating a referral fee on “registering [a] user with information identifying an affiliate associated with [a] referring web page.”

Applicant also respectfully submits that dependent claim 26 is allowable over the cited prior art for the following additional reasons. As discussed previously Wong discloses generating a commission for either a sales representative (claim 24) or each person having a role

in the sale transaction (claim 25). Wong does not disclose the steps of first “identifying the type of referral fee [an] affiliate is permitted to receive” and then “calculating [the] referral fee based on [the] type” permitted. Due to the highly regulatory nature of the insurance industry, a given affiliate or sales representative may only be able to receive a fixed referral or “lead” fee whereas a licensed affiliate or agent may be able to receive a commission.

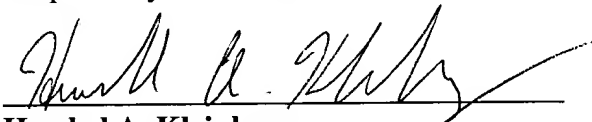
Independent claim 27 combines limitations of independent claim 13 and dependent claim 16 and further limits the claim to “travel insurance services.” For the arguments specified with respect to claims 13 and 16, the Applicant respectfully submits that independent claim 27 is allowable over the cited art. The Applicant also respectfully submits that new claims 28-29 are allowable over the cited art at least because of their dependency from independent claim 27.

Conclusion

Accordingly, it is respectfully submitted that the present application is now in condition for allowance. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone me at the number provided below.

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Respectfully submitted,



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